GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3004
ANSWERED ON:22.08.2006
LEGISLATION FOR FAKE GOODS
Owaisi Shri Asaduddin;Reddy Shri Mekapati Rajamohan

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of recommendations received from the Working Group on counterfeit, fake, spurious and contraband products;

(b) whether the Government proposes an integrated act on counterfeit, fake, spurious and contraband products as reported in the Hindustan Times dated July 17, 2006; and

(c) if so, the details thereof alongwith the action taken in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL)

(a): A Working Group on Counterfeit, Fake, Spurious and Contraband Products was set up by the Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs in January, 2004. In its report finalised in May, 2006, the following general recommendations were, inter alia, made by the Working Group:

(i) The Ministry of Home Affairs may consider bringing out an Integrated Act on counterfeit, fake, spurious and contraband products with adequate penal provisions and detailed procedures.

(ii) An independent authority needs to be set up with wide ranging powers to initiate suo-moto action to protect consumers from various problems, including the menace of counterfeit, fake, spurious and contraband products. The Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs is already contemplating setting up of a National Consumer Protection Authority.

(iii) Priority attention is required to be given to critical areas affecting consumer health and safety like water, milk, food and drugs and all concerned Ministries /Departments/ Organisations should join hands and launch a vigorous campaign for enhancing consumer awareness in such areas.

(b) & (c): The recommendations of the Working Group are being processed by the Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumer Affairs. The specific recommendation relating to an Integrated Act on counterfeit, fake, spurious and contraband products with adequate penal provisions and detailed procedures, which was referred to the Ministry of Home Affairs, was examined. The Ministry of Home Affairs was unable to agree to this recommendation and conveyed its non-acceptance to the Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumer Affairs.